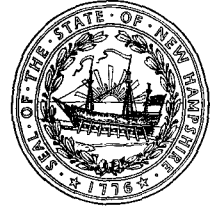




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. O'Donell
Oakbridge Condos
120 Fisherville Rd, #181
Concord, New Hampshire 03301

LETTER OF DEFICIENCY
WMB PBF 04-29
December 13, 2004

Dear Mr. O'Donell:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On December 2, 2004, DES inspected the following public bathing facilities at the Oakbridge Condos in Concord, NH: the indoor pool ("Indoor Pool") and spa ("Spa").

During this inspection, the following deficiencies were noted:

1. Env-Ws 1103.15(c) requires a free residual chlorine concentration between 1.0 mg/L and 3.0 mg/L in public pool water. The free chlorine residual of the Indoor Pool water ranged from 6.9 mg/L to 7.1 mg/L on December 2, 2004.
2. Env-Ws 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH, and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. No written records were available at the time of the inspection relative to the required testing of the Indoor Pool water.
3. Env-Ws 1105.01(k)(19) requires pool filtration systems to include a flow meter. The flow meter for the Indoor Pool was not working.
4. Env-Ws 1105.03(d)(2) requires spa filtration systems to include a flow meter. The flow meter for the Spa was not working.

DES believes the cited deficiencies can be corrected within 30 days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

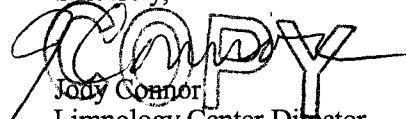
1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. A timetable of when the flow meters will be cleaned or replaced.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

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We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,


Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7606
Enclosures

cc: Gretchen R. Hamel, Legal Unit Administrator, DES
Tim Wilson, Public Bathing Facility Coordinator, DES
Eugene Blake, Health Officer, City of Concord

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